

Leonard V. Sominsky, Esq. #020013  
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Counsel for Respondent

LS00123-00/lvs  
RespMFRnew1.wpd

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

In Re:	)	
	)	
JOE A. DELGADO	)	Chapter 13
	)	
and	)	Case No. 2:16-08714-PS
	)	
FRANCES M. DELGADO	)	
Debtors,	)	
	)	
	)	
Partners for Payment Relief DE II, LLC.	)	
	)	Contested Matter NO.
	)	
Movant,	)	
	)	
v.	)	<b>DEBTORS RESPONSE IN</b>
	)	<b>OPPOSITION TO MOTION FOR</b>
	)	<b>RELIEF FROM AUTOMATIC</b>
JOE A. DELGADO	)	<b>STAY</b>
	)	
and	)	
	)	
FRANCES M. DELGADO,	)	
Respondents.	)	
	)	

**COME NOW**, the Respondents Mr. & Mrs. Delgado, by and through their undersigned counsel, Leonard V. Sominsky, and for their response in opposition to the Motion for Relief alleges as follows:

1. Respondents admit to having possession of the

1 property as alleged, and would demonstrate at  
2 trial why continued possession of the property is  
3 necessary and appropriate.

4 2. Respondents would further demonstrate that the  
5 Movant is adequately protected, based on the  
6 existence of insurance against casualty and loss  
7 and in the alternative a sufficient equity  
8 cushion.  
9

10 3. Respondents dispute the alleged arrearage and  
11 would prove payments not credited.

12 4. The property at issue is Respondents residence  
13 and, as such, reasonably necessary for a  
14 successful reorganization.  
15

16 5. Respondents would attempt to cure any arrearage  
17 and counsel would facilitate resolution of  
18 Movant's action.

19 6. Respondents hereby request a hearing.

20 **WHEREFORE**, this Court should deny the Movant's Motion  
21 for Relief.  
22

23 **RESPECTFULLY SUBMITTED** this August 6, 2018.

24 **LEONARD V. SOMINSKY, ESQ., P.C.**

25 By:/s/ Leonard V. Sominsky  
26 Leonard V. Sominsky, Esq. #020013  
27 **LEONARD V. SOMINSKY, ESQ., P.C.**  
28 2700 N. 3<sup>rd</sup> St., Suite 2006  
Phoenix, Arizona 85004  
Telephone: (602) 256-9800  
Counsel for Respondents

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2  
3 **CERTIFICATE OF SERVICE**  
4

5 I hereby certify that a true and correct copy of the  
6 foregoing has been mailed to the following:

7 Michelle R. Ghidotti, Esq.  
8 1920 Old Tustin Ave.  
9 Santa Ana, CA 92705  
10 Attorneys for Movant

11 Edward J. Maney, Trustee  
12 101 N. First Ave, #1775  
13 Phoenix, AZ 85003

14 Executed this August 6, 2018.

15 /s/20013-Leonard V. Sominsky  
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